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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/096,939 06/12/98 KULT

G CDR-97-031

LM12/0427
TECHNOLOGY LAW DEPARTMENT
MCI COMMUNICATIONS CORPORATION
1133 19TH STREET NW
WASHINGTON DC 20036

EXAMINER

BARNIE, R

ART UNIT

PAPER NUMBER

2743

DATE MAILED:

04/27/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/096,939

Applicant(s)
KULT ET AL.

Examiner
PAUL LOOMIS

Group Art Unit
2743



☒ Responsive to communication(s) filed on Jun 12, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1-20 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-20 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 U.S.C. § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claim 8 is rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 8 recites a plurality of data which functions simultaneously. The specification fails to provide support for the data being inclusive as claimed. The claim should be stated in “one or other” in order to be consistent with claim 2.

3. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The limitations of claim 5 namely; “a tabman resource manager, a queman resource manager, a sysmem resource manager and a shnman resource manager” are not well known in the art and thus should be defined.

Claim Rejections - 35 U.S.C. § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 1-4, 6-~~8~~ and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Reto et al. (US Pat# 5,825,857).

Regarding claim 1, Reto et al. teaches a communication system in (figs. 5-8) wherein a computer/gateway comprises a processor (530, 630, 730, 802), a resource management (interior of 536, 630, 730, 820) with multiple resources comprising of ITTC outbound resource (504, 604, 704), ITCC inbound (506, 606, 706), ITCC hubbing (508, 608, 708), processing routines (512, 612, 712), response mapping code (520 etc.), operating maintenance routine (522 etc.) and operating system (514 etc.) wherein the resource management deals with card validation(service logic manager) and switch resource manager. Reto teaches an application interface means (634, 638) and a plurality of memory (see disk, 532) and the memory (536) wherein the resources are arranged in a table format.

Regarding claim 2, ⁸ see the explanation as set forth in the rejection of claim 1.

Furthermore, Reto teaches in (see fig. 4) the possibility of sending a query in response to a card call to validate an account associated with the account wherein charge account information could be in a table format (see fig. 11).

Regarding claim 3, see the explanation as set forth in the rejection of claim 1. Reto teaches in (figs. 5-7), a plurality of Interface adapters (534, 538, ..., 738), operator interface (806) and LAN interface (510, ..., 804) wherein components are compatible with each other to function.

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Regarding claims 4, 6-7 and 20, Reto teaches service logic program data for the implementation of calling card validation (see entire disclosure) and also, data stored in a table format comprising of a calling origination number, call duration, called number (inherently) and estimated charges (see fig. 11c).

6. Claims 2 and 6-~~8~~ are rejected under 35 U.S.C. 102(e) as being anticipated by Morikawa (US Pat# 5,867,565).

Regarding claims 2 and 6-~~8~~, Morikawa teaches a method for managing resources within a network comprising of sending a query to a resource manager (see interior components of SSP and SCP) and managing data stored in memories and organized in table format (see figs. 6-14) to collect traffic collection data.

Claim Rejections - 35 U.S.C. § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 5, 9-11 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reto et al. (US Pat# 5,825,857) in view of Sofman (US Pat# 5,937,042).

Regarding claims 5, 9-11 and 15-19, Reto fails to teach the possibility of incorporating an application interface means with creating a semaphore, deleting and creating entities. Sofman teaches optimization of a network configuration in (see abstract, fig. 22, column 7 lines 21-30,

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columns 11-12, column 13 lines 27-47 and so forth) comprising of being able to delete data, configure data, measuring traffic data (see column 10), creating groups (see column 13 lines 13-40) and so forth. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Sofman into that of Reto thus making it possible to optimize network resource by being able to dynamically configure a network.

9. Claims 8 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reto et al. (US Pat# 5,825,857) in view of Gottlieb (US Pat# 5,920,621).

Regarding claim 12-14, Reto fails to teach creating an agent entry via an application interface means and a heartbeat message but Gottlieb teaches an automatic call teaches in (see entire disclosure) updating the status of call agents as being available or busy(see column 2) and receiving heartbeat messages (see column 9 lines 51-56). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Gottlieb into that of Reto thus making it possible to route incoming calls to proper resources based on availability of service agents or other resources.

Regarding claim 8, the combination of Reto and Gottlieb teaches the possibility of implementing services by incorporating the type of service logic required namely; service logic program data, switch data, agent data and so forth.

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CONCLUSION

10. Any inquiry concerning this communication or earlier communication from the examiner should be directed to REXFORD BARNIE whose telephone number is (703) 306-2744. The examiner can normally be reached on Monday through Friday from 8:30 to 6:00p:m

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708. The **informal fax number** (Draft or Proposed Amendment) for this Group is (703) 305-9508 wherein the **formal fax number** for the group is (703) 308-9051 or 308-9052. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is (703) 305-3900. **R.B. 04/10/00**


CURTIS A. KUNTZ
SUPERVISORY PATENT EXAMINER
GROUP 2700